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U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/668,125	
	Filing Date	September 22, 2003	
	First Named Inventor	Stephen H. Diaz	
	Group Art Unit	3731	
	Examiner Name	Unassigned	
Total Number of Pages in This Submission	11 + 17 refs.	Attorney Docket Number	P055

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below)
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	1. Return postcard
<input checked="" type="checkbox"/> Information Disclosure Statement + PTO Form 1449 (10 pages)	<input type="checkbox"/> Request for Refund	2. Seventeen (17) references
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Response to Missing Parts/Incomplete Application	Remarks	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 - 1 page		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual Name	Conor Medsystems, Inc. Cindy A. Lynch 043027
Signature	
Date	September 21, 2004

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as First Class Mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:	
Dated: 9-21-04	Signature: Abby Berghella (Abby Berghella)



Attorney Docket No. P055

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Dated: 9-21-04

Signature: Abby Berghella (Abby Berghella)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:	Stephen H. Diaz		
Serial No.:	10/668,125	Art Unit:	3731
Filed:	September 22, 2003	Examiner:	Unassigned
For:	METHOD AND APPARATUS FOR LOADING A BENEFICIAL AGENT INTO AN EXPANDABLE MEDICAL DEVICE		

INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure provisions of 37 C.F.R. §1.56, there is hereby provided certain information which the Examiner may consider material to the examination of the subject U.S. patent application. It is requested that the Examiner make this information of record if it is deemed material to the examination of the application.

1. Enclosures accompanying this Information Disclosure Statement are:

1a. ☒ A PTO-Form 1449 listing all patents, publications, applications, or other information submitted for consideration by the office.

1b. A legible copy of:

☒ Each publication and foreign patent reference;

☐ Each publication or that portion which caused it to be listed on the PTO-1449;

☐ For each cited pending U.S. application, the application specification including the claims, and any drawing of the application, or portion of the application which caused it to be listed on the PTO-1449 including any claims directed to that portion;

☐ all other information or portion which caused it to be listed on the PTO-1449.

2. ☒ This Information Disclosure Statement is filed under 37 C.F.R. §1.97(b):
- ☐ Within three months of the filing date of a national application other than a continued prosecution application under §1.53(d);
 - ☐ Within three months of the date of entry of the national stage as set forth in §1.491 in an international application;
 - ☒ Before the mailing of the first Office action on the merits;
 - ☐ Before the mailing of a first Office action after the filing of a request for continued examination under §1.114.
3. ☐ This Information Disclosure Statement is filed under 37 C.F.R. §1.97(c) after the period specified in 37 C.F.R. §1.97(b), but before the mailing date of any of a final action under 37 C.F.R. §1.113, a notice of allowance under 37 C.F.R. §1.311 or an action that otherwise closes prosecution in the application.
- 3a. ☐ The Certification Statement in Item 5 below is applicable. Accordingly, no fee is required.
- 3b. ☐ The \$180.00 fee set forth in 37 C.F.R. §1.17(p) in accordance with 37 C.F.R. §1.97(c) is:
- ☐ enclosed
4. ☐ This Information Disclosure Statement is filed under 37 C.F.R. §1.97(d) after the period specified in 37 C.F.R. §1.97(c), but on or before the date of payment of the issue fee.
- The \$180.00 fee set forth in 37 C.F.R. §1.17(p) is:
- ☐ enclosed.

The Certification Statement in Item 5 below is applicable.

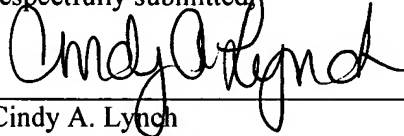
5. ☐ Certification Statement (applicable if Item 3a or Item 4 is checked)
- 5a. ☐ In accordance with 37 C.F.R. §1.97(e)(1), it is certified that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.
- 5b. ☐ Each item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart application, and the communication was not **received** by any individual designated in 37 C.F.R. §1.56(c) more than thirty days prior to the filing of this information disclosure statement.

Application No. 10/668,125
Attorney Docket No. P055

- 5c. ☐ Pursuant to 37 C.F.R. §1.704(d), each item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart application, and the communication was not **received** by any individual designated in 37 C.F.R. §1.56(c) more than thirty days prior to the filing of this information disclosure statement.
6. ☒ This application is a continuation-in-part application under 37 C.F.R. §1.60 or §1.53(b) or (d).
- 6a. ☐ A Petition to Withdraw from issue under 37 C.F.R. §1.313(b)(5) is concurrently filed herewith.
- 6b. ☒ Copies of publications listed on Form PTO-1449 from prior application Serial No. 10/447,587 from which this application claims priority are not being submitted pursuant to 37 C.F.R. §1.98(d), however the Examiner should consider this information in accordance with MPEP §609(I)(A)(2).
- 6c. ☒ Copies of the foreign patents and publications listed on Form PTO-1449 are provided herewith.
7. ☐ This is a Supplemental Information Disclosure Statement.
- 7a. ☐ This Supplemental Information Disclosure Statement under 37 C.F.R. §1.97(f) supplements the Information Disclosure Statement filed on . A bona fide attempt was made to comply with 37 C.F.R. §1.98, but inadvertent omissions were made. These omissions have been corrected herein. Accordingly, additional time is requested so that this Supplemental Information Disclosure Statement can be considered as if properly filed on .
8. ☐ In accordance with 37 C.F.R. §1.98, a concise explanation of what is presently understood to be the relevance of each non-English language publication is:
- 8a. ☐ satisfied because all non-English language publications were cited on the enclosed English language copy of the PCT International Search Report or the search report from a counterpart foreign application indicating the degree of relevance found by the foreign office.
- 8b. ☐ set forth in the application.
- 8c. ☐ enclosed as an attachment hereto.
9. ☒ The Commissioner is authorized to charge any additional fee required or credit any overpayment for this Information Disclosure Statement and/or Petition to Conor Medsystems, Inc. Deposit Account No. 50-3100.

10. ☒ No admission is made that the information cited in this Statement is, or is considered to be, material to patentability nor a representation that a search has been made (other than a search report of a foreign counterpart application or PCT International Search Report if submitted herewith). 37 C.F.R. §§1.97(g) and (h).

Respectfully submitted,



Date: September 21, 2004

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Reg. No. 38,699
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Application No. 10/668,125
Attorney Docket No. P055

Substitute for forms 1449A/PTO & 1449B/PTO

Attorney's Dkt. No.

Application No.

P055

10/068,125

**FIRST INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

SEP 23 2004

Applicant

STEPHEN H. DIAZ

Filing Date

9-22-03

Group

3131

U.S. PATENT DOCUMENTS

Examiner Initials	Document Number	Kind Code (if known)	Name of Patentee or Applicant of Cited Document	Issue/Publication Date (mm-dd-yyyy)
	US-20010027340		Wright et al.	10/4/01
	US-20010029351		Falotico et al.	
	US-20010125803		Vallana et al.	07/03/03
	US-20020007209		De Scheerder et al.	01/17/02
	US-20020028243		Bates et al.	
	US-20020032414		Ragheb et al.	
	US-20020038145		Jang	3/28/02
	US-20020068969		Shanley et al.	
	US-20020082680		Shanley et al.	06/27/02
	US-20020155212		Hossainy	10/24/02
	US-20030028244		Bates et al.	
	US-20030036794		Ragheb et al.	
	US-20030060877		Falotico et al.	03/27/03
	US-20030068355		Shanley et al.	
	US-20030100865		Santini et al.	05/29/03
	US-20030157241		Hossainy et al.	
	US-20030176915		Wright et al.	09/18/03
	US-20030199970		Shanley	
	US-20030216699		Falotico	11/20/03
	US-20040122505		Shanley	06/24/04
	US-20040127976		Diaz	07/01/04
	US-20040127977		Shanley	07/01/04
	US-20040144506		Shanley et al.	06/24/04
	US-5464650		Berg et al.	

Examiner Initials		Date Considered	
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Examiner: Initial if reference considered, whether or not citation is in conformance with M.P.E.P. § 609. Draw line through citation if not in conformance and no considered. Include copy of this form with next communication to applicant. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia, 22313-

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Attorney's Dkt. No.

P055

Application No.

10 | 668,125

Applicant

STEPHEN H. DIAZ

Filing Date

9-22-03

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U.S. PATENT DOCUMENTS

Examiner Initials	Document Number	Kind Code (if known)	Name of Patentee or Applicant of Cited Document	Issue/Publication Date (mm-dd-yyyy)
	US-5609629		Fearnot et al.	
	US-5759192		Saunders	
	US-5780807		Saunders	
	US-5797898		Santini et al.	
	US-5824049		Ragheb et al.	
	US-5873904		Ragheb et al.	
	US-5972027		Johnson	
	US-5972180		Chujo	
	US-5992769		Wise	
	US-5997703		Richter	
	US-6071305		Brown et al.	
	US-6096070		Ragheb et al.	
	US-6123861		Santini et al.	
	US-6131266		Saunders	
	US-6153252		Hossainy et al.	
	US-6156062		McGuinness	
	US-6206915		Fagan et al.	
	US-6240616		Yan	
	US-6241762		Shanley	
	US-6249952		Ding	
	US-6254632		Wu et al.	
	US-6257706		Ahn	
	US-6273908		Ndondo-Lay	
	US-6273913		Wright et al.	

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101468,125

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U.S. PATENT DOCUMENTS

Examiner Initials	Document Number	Kind Code (if known)	Name of Patentee or Applicant of Cited Document	Issue/Publication Date (mm-dd-yyyy)
	US-6293967		Shanley	
	US-6299604		Ragheb et al.	
	US-6299755		Richter	
	US-6334807		Lebel et al.	
	US-6369355		Saunders	
	US-6375826		Wang et al.	
	US-6378988		Taylor et al.	
	US-6379381		Hossainy et al.	
	US-6395326		Castro et al.	
	US-6423092		Datta et al.	
	US-6482166		Fariabi	
	US-6491666		Santini et al.	
	US-6497916		Taylor et al.	
	US-6506437		Harish et al.	
	US-6537256		Santini et al.	
	US-6548308		Ellson et al.	
	US-6551838		Santini et al.	
	US-6558733		Hossainy	
	US-6562065		Shanley	
	US-6585764		Wright et al.	
	US-6599415		Ku et al.	
	US-6616765		Castro et al.	
	US-6645547		Shekalim et al.	
	US-6656162		Santini et al.	

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Attorney's Dkt. No.

P055

Application No.

101668,125

Applicant

STEPHEN H. DIAZ

Filing Date

9-22-03

Group

3731

U.S. PATENT DOCUMENTS

Examiner Initials	Document Number	Kind Code (if known)	Name of Patentee or Applicant of Cited Document	Issue/Publication Date (mm-dd-yyyy)
	US-6679980		Andreacchi	
	US-6689159		Lau et al.	
	US-6723373		Narayanan et al.	
	US-6730064		Ragheb et al.	
	US-6730116		Wolinsky et al.	
	US-6758859		Dang et al.	

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Pd55

Application No.

101668, 125

Applicant

STEPHEN H. DIAZ

Filing Date

9-22-03

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U.S. PATENT DOCUMENTS

Examiner Initials	Document Number	Kind Code (if known)	Name of Patentee or Applicant of Cited Document	Issue/Publication Date (mm-dd-yyyy)
	EP-0540290		Lau et al.	5/5/93
	EP-0734699		Lau et al.	10/2/96
	EP-0747069		Fearnot et al.	12/11/96
	EP-0807424		Lau et al.	11/19/97
	EP-1172074		Noble et al.	01/16/02
	EP-1222941		Shanley	07/17/02
	WO-0010622		Ragheb	3/2/00
	WO-0117577		Hossainy	3/15/01
	WO-0226162		Harish et al.	04/04/02
	WO-0226281		Davila et al.	4/4/02
	WO-04043510		Litvack et al.	05/27/04
	WO-04043511		Litvack et al.	05/27/04
	WO-9823228		Burkoth et al.	6/4/98
	WO-9836784		Ragheb et al.	8/27/98
	WO-9916386		Johnson et al.	4/8/99
	WO-9949928		Shanley	10/7/99

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PO55

Application No.

10/668,125

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Applicant

STEPHEN H. DIAZ

Filing Date

9-22-03

Group

3731

NON PATENT LITERATURE DOCUMENTS

Examiner
Initials

Include name of author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.

JENNIFER L. WEST, "Drug Delivery - Pulsed Polymers". Nature Materials, Vol. 2, November, 2003, pp. 709-710.

Examiner
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